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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

PERFECT 10, INC., a California  
corporation,

Plaintiff,

v.

GIGANEWS, INC., a Texas  
corporation; LIVEWIRE SERVICES,  
INC., a Nevada corporation; and DOES  
1 through 100, inclusive,  
Defendants.

GIGANEWS, INC., a Texas  
corporation; LIVEWIRE SERVICES,  
INC., a Nevada corporation; and DOES  
1 through 100, inclusive,

Counter-claimants,

v.

PERFECT 10, INC., a California  
corporation,

Counter-defendant.

CASE NO. 2:11-cv-07098-ABC-SH

**DISCOVERY MATTER**

*Before Honorable Stephen J. Hillman*

**PERFECT 10, INC.'S NOTICE OF  
MOTION AND MOTION FOR  
SANCTIONS PURSUANT TO FED. R.  
CIV. P. 37(B) FOR FAILURE TO  
COMPLY WITH A COURT ORDER**

*[JOINT STIPULATION AND  
DECLARATIONS OF LYNELL D. DAVIS,  
NORMAN ZADA AND MELANIE  
POBLETE FILED CONCURRENTLY  
HEREWITH]*

Date: August 18, 2014

Time: 2:00 P.M.

Ctrm: 550 (Roybal)

Discovery Cut-Off: June 30, 2014

Pretrial Conference: January 19, 2015

Trial Date: January 27, 2015

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that on August 18, 2014 at 2:00 p.m., or as soon thereafter as the matter may be heard, in the Courtroom of the Honorable Stephen J. Hillman, located at 255 East Temple Street, Los Angeles, California 90012, Courtroom 550, Plaintiff Perfect 10, Inc. ("Perfect 10") will and hereby does move this Court for an Order imposing sanctions on Defendant Giganews Inc.'s ("Giganews") for its failure to comply with this Court's Order of June 2, 2014 (Dkt. 295) (the "Motion").

The Motion is based on this Notice of Motion and Motion, the Joint Stipulation, and the Declarations of Lynell D. Davis, Norman Zada and Melanie Poblete and the exhibits thereto, filed concurrently herewith, all other pleadings and papers on file in this action, any matters of which this Court may take judicial notice, and such other evidence and argument as may be presented at or before the hearing on this matter.

Pursuant to Local Rule 37-1, the parties met and conferred on the matters in the Motion telephonically on July 18, 2014.

Dated: July 18, 2014      Respectfully submitted,

By: \_\_\_\_\_

  
Lynell D. Davis, Esq.  
Attorney for Plaintiff Perfect 10, Inc.